

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

<b>In re:</b>	)	<b>Chapter 11</b>
	)	
	)	<b>Case No. 08-35653-KRH</b>
<b>CIRCUIT CITY STORES, INC., et. al.</b>	)	<b>Jointly Administered</b>
	)	
<b>Debtors.</b>	)	
	)	

**NOTICE OF APPEARANCE AND REQUEST FOR SERVICE OF PAPERS**

PLEASE TAKE NOTICE that M.I.A. Brookhaven, LLC (“MIA”) a creditor herein, appears in these cases by its undersigned counsel, pursuant to Federal Rules of Bankruptcy Procedure 9010(b) and 2002(g), and Section 1109(b) of the Bankruptcy Code, and this Court’s Order Pursuant to Bankruptcy Code Sections 102 and 105, Bankruptcy Rules 2002 and 9007, and Local Bankruptcy Rules 2002-1 and 9013-1 Establishing Certain Notice, Case Management and Administrative Procedures docketed November 13, 2008 (the “Procedures Order”), and requests that all notices given or required to be given in this case and all papers served or required to be served on the 2002 List be served on its counsel as follows:

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Augustus C. Epps, Jr., Esquire (VSB No. 13254)  
Michael D. Mueller, Esquire (VSB No. 38216)  
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PLEASE TAKE FURTHER NOTICE that MIA hereby requests that it be included on all limited notice or service lists authorized by the Court in this case.

PLEASE TAKE FURTHER NOTICE that, pursuant to section 1109(b) of the Bankruptcy Code, the foregoing demand includes not only the notices and papers referred to in the above-mentioned Bankruptcy Rules, but also includes, without limitation, all orders, applications, motions, petitions, pleadings, requests, complaints or demands, whether formal or informal, written or oral, transmitted or conveyed by mail delivery, telephone, facsimile or otherwise, in this case.

This Notice of Appearance and any subsequent appearance, pleadings, claim, or suit is not intended nor shall be deemed to waive MIA's: (i) right to have final orders in non-core matters entered only after *de novo* review by a district court judge; (ii) right to trial by jury in any

proceedings so triable herein or in any case, controversy or proceeding related hereto; (iii) right to have the reference withdrawn by the United States District Court in any matter subject to mandatory or discretionary withdrawal; or (iv) other rights, claims, actions, defenses, setoffs or recoupments to which Lexmark is or may be entitled under agreements, in law, or in equity, all of which rights, claims, actions, defenses, setoffs, and recoupments expressly are hereby reserved.

Date: December 2, 2008

/s/ Jennifer M. McLemore.

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 2<sup>nd</sup> day of December, 2008, I caused a copy of the foregoing to be served electronically through the ECF system and by first class mail on the following:

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/s/ Jennifer M. McLemore  
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